

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

S.J. AMOROSO CONSTRUCTION  
CO., INC.,

Plaintiff,

v.

LIBERTY SURPLUS INSURANCE  
CORPORATION,

Defendant.

No. C 09-4197 PJH

**ORDER**

The court is in receipt of the chambers copies of defendant Liberty Surplus Insurance Corporation's motion for leave to file an amended answer and amended counterclaim, and supporting papers. The Request for Judicial Notice ("RJN") and the Declaration of Jay A. Christofferson, both filed in support of defendant's motion, are not in usable format.

A document is in usable format if it is usable for the purpose for which it is submitted to the court. The RJN is not in usable format because it consists of a thick stack of loose paper, fastened only with a binder clip, which will in all likelihood become unfastened if the court attempts to review the contents of the document. In addition, the RJN includes numerous untabbed exhibits. The court is unable to locate exhibits in a thick document if they are not tabbed. Similarly, the Christofferson Declaration is not in usable format,

1 because it also contains numerous untabbed exhibits.

2 The court will consider the contents of these documents only if copies in usable  
3 format are submitted no later than May 11, 2010.

4  
5 **IT IS SO ORDERED.**

6 Dated: May 10, 2010



---

PHYLLIS J. HAMILTON  
United States District Judge